

Judicial Administration Committee  
Judicial Conference of Indiana

**Minutes**

February 13, 2004

The Judicial Administration Committee of the Judicial Conference of Indiana met at the Indiana Judicial Center on Friday, February 13, 2004 from 10:00 a.m. – 3:00 p.m.

1. Members present. Thomas G. Boyer, Michael H. Eldred, Steven M. Fleece, Tanya Walton Pratt, P. Thomas Snow, Mary G. Willis, and Judith S. Proffitt, Chair.
2. Staff present. Jeffrey Bercovitz provided the committee with staff assistance.
3. Guests present. Lilia Judson, Executive Director; Natalie Auberry, staff attorney, JTAC; Camille Wiggins, staff attorney, and Adrienne Henning, Court Analyst, Division of State Court Administration, were also present.
4. Minutes approved. The minutes for the committee on October 10, 2003 were approved.
5. JTAC case management system.
  - a. Natalie Auberry reported JTAC had developed 24 spreadsheets for various case types with about 3000 total entries. The next phase of the project will be prepare form orders driven by events, with merge variables and blanks to be completed for local courts. Code tables for pull-down menus will be developed also. A disposition wizard to track various portions of a civil complaint and various parties is under construction. The case management system will be able to accommodate electronic filing. Screens and panels will be available to view by the committee next month.
  - b. Camille Wiggins reported interface issues with other agencies are being reviewed. Authentication issues, e.g. if a document is authenticated in a CHINS case three years ago, does it have to be authenticated again later?
  - c. Lilia Judson said the case management system would be rolled out by using Clay as a test county, then Huntington, Marion, and Morgan as pilot counties. Not all components of the system will be rolled out at the same time. She agreed to have representatives return next month to show the screens and panels of the system.
6. New projects. Suggestions for committee projects:
  - a. Trial court performance standards. Get National Center for State Courts draft of new standards when available. Investigate Ohio experience. Look at productivity and efficiency and “tell the story” of good practices by courts.
  - b. Determine the types of orders are required by the RJO. Examine work of JTAC on case management system (CMS) in this area. Is a rule change needed? What about courts not on CMS? Streamlining dockets in pending cases. Study deadlines for Rule 41(E) notices. It is hard to find time, with the press of pending cases to go through files to send the notice. Could use length of time without any activity as tickler to send notice.
  - c. Model local court rules. Already working group chaired by Judge Robb. One idea is a structure for local rules in TR 81. This proposal should be distributed soon. Another idea is to use numbering system based on trial rules.
  - d. Any rule on how to respond to pro se litigants and their communications. Many pro se requests come to courts seeking court action. Meg Babcock gets questions in this area. What about

letter from a child concerning custody? Letters from criminal defendants arrive at courts that conflict with attorney filings. Some communications come via email. Emails from attorneys – that are not sent to the other side - with arguments about their case come to courts. Some courts print them and put them in file. What if this is done after time has passed for argument in a summary judgment case? Photographs sent in. Giving notice to both parties is a good practice in this area. Practical and ethical considerations should be discussed of *ex parte* communications from pro se litigants. Invite chair of pro se committee to discuss their efforts in this area. Invite Meg Babcock to discuss ethical considerations.

e. Dealing with out of state parties giving testimony and holding hearings when party is out of state. How to memorialize and document conference calls. Recording of testimony from defendant. Pro se hearings by telephone. This happens in CHINS cases where grandparent is out-of-state.

7. Next meeting. The committee agreed to hold their next meeting at the Judicial Center on the following dates: March 12, 2004; May 14, 2004; June 11, 2004; July 9, 2004; and August 13, 2004 all from 10:00 a.m. - 4:00 p.m. at the Indiana Judicial Center. The committee agreed to view case management screens from JTAC, which may assist in determination of which case management system items above the committee would to take on as a project. They agreed to circulate these minutes to JTAC in advance of the meeting.

Respectfully submitted,

Jeffrey Bercovitz, Director  
Juvenile and Family Law